

Utah State Building Board



MEETING

June 20, 2007

MINUTES

Utah State Building Board Members in attendance:

Kerry Casaday, Vice Chair
Steve Bankhead
Cyndi Gilbert
Katherina Holzhauser
Mel Sowerby
Manuel Torres

DFCM and Guests in attendance:

Robert Franson	Division of Facilities Construction & Management
Kent Beers	Division of Facilities Construction & Management
Shannon Elliott	Division of Facilities Construction & Management
Dana Edwards	Division of Facilities Construction & Management
Eric Tholen	AIA/Harris Associates
Stan Plewe	Dixie State College
Chris Coutts	MHTN Architects
Gordon Storrs	Salt Lake Community College
Mike Benson	Southern Utah University
David Tanner	Southern Utah University
Ken Nye	University of Utah
Mark Spencer	Utah System of Higher Education

On Wednesday, June 20, the Utah State Building Board held a regularly scheduled meeting in W125 State Capitol Complex, Salt Lake City, Utah. Vice Chair Kerry Casaday called the meeting to order at 10:30am.

☐ BUILDING BOARD POLICY PERTAINING TO PLANNING/PROGRAMMING OF FUTURE BUILDINGS.....

DFCM recommended that the Building Board adopt the policy pertaining to the Planning/Programming of future buildings, and to seek public comment pertaining to the policy.

Over the last several years, agencies and institutions have come to believe that seeking early programming would help their project move up the Building Board prioritization list, which is a false perception. As programs age, their value begins to diminish and may begin to be of no value to the design firm. Consequently, DFCM is often being asked to reimburse outdated programming out of project funds, and then fund a new programming effort resulting in the programming being paid for twice. The new policy would limit programming to those projects finishing in the top five of the previous year Building Board rankings that were not funded by the Legislature. The projects not funded by the Legislature the next year would not be eligible for reimbursement. The percentage of the project cost for the programming fee is usually .5% of the construction budget.

Mel Sowerby felt the revised policy was more of an issue of reimbursement of funds than of authorization of the project. Any agency or institution that chooses to spend their own funds up front for programming is not necessarily guaranteed reimbursement whether the program is valid or not. The Building Board is charged with the ranking of a project based on need. Kent Beers agreed and felt programming is a vital part of the construction process, but it is not part of the approval process.

David Tanner, Southern Utah University, felt the changes to the programs could be contributed to changes in administration or the need to refine. He questioned if they were going to allow the programmers to also be the designers. He felt it was beneficial to allow the programmers the option to become eligible to become the designer. He also did not feel that the University was attempting to increase their ranking by beginning programming. SUU appreciated clarifications beyond the study where programming helped to better define the project to better entice donors. Programming also provides the opportunity for those affected to provide input to the process, which is not available through a study. He encouraged the Board to obtain input from the design firms, public and other institutions to better understand the benefits. He discouraged the Board from limiting it to those projects that had ranked in the top five and not received funding.

Mel Sowerby felt if programming was being done as an internal tool to obtain funding from outside sources, it should be at the cost of the agencies and institutions. Steve Bankhead questioned if the studies and programming done to refine their decisions should be refunded by the state. David Tanner felt it was a wise expense of taxpayer dollars in some instances.

Kent Beers reiterated that programming is an essential element in the design and construction process, but it needs to occur shortly before the design begins. DFCM was concerned with the timing of the programming because if the odds were against the project being funded within the next two years. He cautioned agencies and institutions to be realistic with their programming efforts.

Mark Spencer, Utah System of Higher Education, proposed allowing agencies and institutions to proceed with programming regardless of their ranking on the Board's prioritization list. The project could then be reimbursed if it was funded within the next year or two. He suggested revising the policy statement to read "Agencies and Institutions that

do not meet the above criteria may proceed with early planning/programming with Board approval with the understanding that they *may not* ~~will not~~ be eligible for reimbursed from the project budget if the planning/programming document is more than two years old when the project is approved and funded by the Legislature.” Mr. Spencer stated the Board of Regents did not want the institutions to believe their ranking would increase because the programming had been completed. Kent Beers felt a project went forward that was not in the top five and the agency wanted upfront the cost, they should be eligible for reimbursement if they were funded during the next legislative session. Katherina Holzhauser felt the program should be reimbursed even if it was three or four years old as long as it was used. The Board just wanted to ensure they were not reimbursed twice for programming.

Stan Plewe, Dixie State College, stated their small institution only had one individual to prepare the CBE. He felt the programming process is invaluable to them to obtain professional expertise to help determine their needs.

Eric Tholen, AIA, was slightly disconcerted that a two or three year old program was no longer valid. Buildings that are programmed should ostensibly have a 30 to 50 year life cycle. Programs do change based on curriculum changes and if it fails, it is usually due to the needs changing or the program being done inaccurately. He saw the merits of obtaining the early definition for agencies to determine their needs and be able to proceed.

Gregg Buxton addressed the concern of having an architectural firm program for a building and then not being allowed to be a participant in the drawing of the building. He questioned if allowing them to participate was giving them an unfair advantage in the process, or if it was even a concern. Eric Tholen responded the AIA was generally not in agreement with the separation. He felt the merits of having a continuation and the knowledge base to go forward would be beneficial to the agency. However, if the program had been developed based on sound information, the program should adapt. He suggested the Board contact Elizabeth Mitchell of the AIA for their position.

Ken Nye, University of Utah, felt it was very valuable to have a program in place before the project is funded in order to have a more defined scope of work established with a cost associated in order to less the problem of the funding not matching the scope. However, programming occasionally turns into a wish list effort which then becomes a struggle to maintain discipline of what is built into the program and what is reasonable to fund.

Mr. Nye stated there is a Building Board rules that required Building Board or legislative approval prior to a program receiving authorization if it is a state funded request. He suggested revising the first paragraph which limited programming to the top five projects if the statement was only applicable to funding. Mr. Nye also suggested clarifying that non-state funded projects are not limited to the top five projects since the funding for non-state projects would come from the agency or institution anyway. One possible revision could read “any reimbursement for programming would be reduced by costs incurred to redo the programming once the project is funded.”

Mr. Nye stated the University understood the challenge the Board dealt with to maintain an appropriate balance between the benefits of programming versus the waste of dollars for state funds and non-state funds for programs that are not useful.

Kent Beers suggested the policy could be rewritten to read that a project will be eligible for reimbursement up to one time for programming expenses. DFCM wanted the projects with lower rankings to understand their ranking would not increase simply because they had completed programming, nor would they be reimbursed for planning costs if the project is never funded. Once it becomes likely the project will be funded, agencies and institutions should prepare a program beyond the preliminary analysis.

Cyndi Gilbert felt higher education projects received higher rankings because of their programming skills. She also felt the programming helps define their focus and cautioned the Board against placing restrictions on them. Steve Bankhead felt if the program was done wrong and discovered during design, then they ought to spend the time and money to fix it. He did not want the Board to limit or discourage reprogramming if they still ended up with a superior project.

MOTION: Mel Sowerby moved to table the issue for further discussion at the next meeting pending the revision of the language by staff. The motion was seconded by Steve Bankhead and passed unanimously.

☐ SUU REQUEST FOR PROCEED WITH PROGRAMMING FOR THE SCIENCE CENTER ADDITION

President Mike Benson, Southern Utah University, referred to Tab C of the data book prepared by the Utah System of Higher Education which showed significant growth at SUU over the last five years. There has also been a 100% increase in graduate science students. Even with high placement rates for their science students, the deteriorating physical infrastructure makes it difficult to recruit students.

SUU has received a \$3 million gift from a 1951 graduate of the branch Agricultural College of Utah State. The intention is to use the donation and demolish the current Life Science building and build a new building on the complex. They will build vertically in order to include more labs, classrooms and animal care rooms. The building would consolidate all of the departments within the College of Science into one complex thus freeing space around campus for other pressing needs. David Tanner added that the study had been completed and they wished to proceed with programming in order to help the staff develop their programs into smaller spaces. This is SUU's top priority and has been for the last few years.

Steve Bankhead commented that they were ranked 19 last year on the Board's prioritization list, and there were four other similar requests from four other agencies. He was concerned with approving programming because several of those projects were ranked higher. He hoped the Board of Regents would provide information during this

year's process regarding the fastest growing institution, the institution with the biggest need for FTEs per square foot of lab space, and the condition of the labs. David Tanner agreed the data associated with the project helped the Board prioritize the project much better. Mark Spencer encouraged the Board to vote to authorize the project with the understanding they may not receive funding.

Katherina Holzhauser had difficulty understanding the overwhelming benefit for SUU to proceed with programming now given that programming is most effective as close to construction as possible. President Benson stated if SUU is fortunate enough to receive funding next year, they would be ready for construction. The programming process would help define the building. David Tanner felt a true programming effort for a science center would take three to six months.

Kent Beers stated the previous Board policy allowed the Board to authorize an agency or institution to proceed with programming and be eligible for reimbursement out of the project fund when the project is funded by the Legislature. Since the policy has not been amended, he felt it was only fair to approve SUU's request since they had authorized Weber State's programming project a few months earlier, and it was not on the list last year.

MOTION: Cyndi Gilbert moved to approve SUU's request to proceed with programming for the Science Center addition. The motion was seconded by Mel Sowerby and passed unanimously.

☐ SUU REQUEST TO CONSTRUCT BELL TOWER – NON-STATE FUNDED REQUEST

SUU is attempting to create a plaza area for students surrounding the Teacher Education Building, Old Main and Braithwaite. This plaza area will house a 76 foot carillon tower which will be constructed out of granite, rose brick and sandstone with a copper roof and hold 25 bells. SUU hopes the tower will be a way to bring the community together and create a lasting legacy to campus. The tower will be funded by institutional funds and donations. SUU has received approval from the Trustees and the Board of Regents.

Mel Sowerby asked if the project would need to be put out to bid or if SUU was allowed to sole source as proposed. Kent Beers explained the State's rule for sole sourcing allows a private donor to stipulate that a specific contractor to do the work or a specific manufacturer to supply material as part of their donation. With the Carter family making a generous donation, they could make the work a condition of their donation. President Benson added that some of the local subs have also considered donations of time, labor and material for the project.

MOTION: Cyndi Gilbert moved approval of SUU's request to construct the carillon tower. The motion was seconded by Manuel Torres and passed unanimously.

☐ **CAPITOL PRESERVATION BOARD REQUEST TO REALLOCATE CAPITAL IMPROVEMENT FUNDS.....**

Kent Beers presented in behalf of the Capital Preservation Board and recommended that the Building Board consider their request to reallocate previously allocated Capital Improvement funds. The Capital Preservation Board requested that \$250,000 in funding for HVAC work at the State Office Building be postponed pending a decision by the Legislature as to whether the State Office Building should be demolished and reconstructed. The CPB requested to relocate the funding as follows: \$5,070 to DFCM for remodeling of space on the Fifth Floor of the State Office Building; \$2,500 to DFCM for filing inspection reports on the Capitol Building Restoration; \$100,000 to the Council Hall stone repair project; and \$142,430 to the General Improvement/Repair on Capitol Hill fund.

Steve Bankhead did not believe a new State Office Building was imminent and questioned if work was needed on the HVAC system to make it habitable. Kent Beers responded that the current plan of the Capital Preservation Board indicated the State Office Building will be demolished in 2010 pending legislative approval. DFCM hoped to have a better understanding of the Legislature's intent pertaining to the State Office Building after this session. If the Legislature does not intent to demolish and reconstruct the State Office Building in the short time frame then DFCM will refund the \$250,000 from next year's capital improvement fund for the HVAC work.

MOTION: Manuel Torres moved to accept the reallocations of Capital Improvement funds for the Capital Preservation Board. The motion was seconded by Cyndi Gilbert.

Steve Bankhead questioned if they should continue with the HVAC work since the building will be occupied for at least another four years. He did not feel it was appropriate to divert the money from the project. Kent Beers stated if the decision is to tear the building down in a short time frame, there are less costly measures that can be taken to keep the system functioning. If the Legislature determines not to demolish the building, they will proceed with the HVAC work next year.

The motion passed with four in favor and two opposed.

☐ **ADJOURNMENT.....**

MOTION: Kerry Casaday moved to adjourn at 11:50am and reconvene at the Governor's Mansion Carriage House for a tour and luncheon. The motion passed unanimously.

**GOVERNOR'S MANSION AND CARRIAGE HOUSE
HISTORIC BUILDING RESTORATION AND LUNCHEON
WEDNESDAY, JUNE 20, 2007**

IN ATTENDANCE:

Kim Hood	Marvin Dodge	Gregg Buxton
Bruce Whittington	Kent Beers	Shannon Elliott
Roger Livingston	Keith Stepan	Rich Amon
Neil Ashdown	Cherilyn Bradford	John Nixon
Rep. Kevin Garn	Rep. Janice Fisher	Rep. Mark Walker
Kerry Casaday	Cyndi Gilbert	Manuel Torres
Steve Bankhead	Katherina Holzhauser	Mel Sowerby
Robert Franson	Dana Edwards	Nick Radulovich
Rob Pett	Jessellie Anderson	Vicki Schoenfeld
Yolanda Nance	Mark Spencer	Phil Notarianni
Carolynne Loder	Judith George	Linda Thatcher
Lisa Roskelley		

MINUTES:

The event was called to order by Kim Hood, Executive Director of the Department of Administrative Services at 12:10 p.m. Kim commented that both of these buildings are on the National Historical Registry and are state buildings. It is our stewardship to preserve and maintain them properly, just as we do other state buildings. She wanted the group to see the damage personally so they could understand the critical need for action.

Kim indicated that over the next few months we will outline a Capital Development Project and bring it to the Building Board and Legislature for consideration. Preserving these beautiful buildings is our number one priority.

Kim introduced Mr. Neil Ashdown, Chief of Staff for Governor Huntsman. Neil welcomed the group and noted how lucky the State of Utah was to have such a beautiful mansion and property. He noted that he had the support of Governor Huntsman in this issue. He commented that there are rocks and sand falling from the Carriage House onto the grass every time it rains. The roof is too unstable to install communication equipment and/or solar panels for fear that the roof will collapse.

The First Lady no longer has office space for her staff and could use the Carriage House in many great ways. Some of the space in the Carriage House could be used for education programs for children/school kids. This may aid us in getting grant money to offset some of the costs. Other uses of the Carriage House could include building a small catering kitchen and a space for the Governor's vehicles.

Keith Stepan and Gregg Buxton took the group on the tour of the properties. They viewed the Governor's Mansion west porch area where Keith reported it had not been restored during the last major renovation due to lack of funds. It is not seismically stable, nor is it attached to the Mansion. Many of the joints between the stones have large gaps and the porch roof leaks which is evidenced by green discolored areas.

They toured the Carriage House where they viewed how the stone is disintegrating and how it turns into a sand-like residue. The north and south areas of the Carriage House are the worst areas of visible damage. Water damage from water flowing down from the roof on the edges of the building has done massive damage to the structure. Water runs into the parking lot causing white chalk-like marks.

The horse head sculpture on the Carriage House roof was added during the Olympics and is the only new addition to the structure.

Dignitaries and guests visiting the Mansion have noted that they see the deterioration of the Carriage House in comparison to the Mansion.

Neil Ashdown introduced Jesselie Anderson who represents the Foundation who raises money for the furnishings only. She commented that we cannot use our fundraising money for bricks and mortar; or to maintain the building. She wants to partner with the project and help in any way she can, although she cannot fund the restoration itself. She expressed her desire to make sure that both buildings receive the same attention in historical preservation.

Rob Pett, who was post-fire head project architect of the Mansion restoration project, commented that if we do not move quickly to preserve these buildings, we will lose them forever. Weather is the biggest detriment to the Carriage House at this point. The sandstone that we can use comes from San Pete County. He said that sometimes historical building preservation issues are last on the list.

After finishing the tour, the group was asked for comments or questions while eating their lunch. The event ended at 1:00 p.m.